



Rules of Association

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RULES OF THE ASSOCIATION

Name of the Association

1. The name of the Association shall be The Division of General Practice (Tasmania – Southern Region) Inc (in these rules called “the Association”).

Interpretation

2. (1) In these rules, unless the contrary intention appears:
“Act” means the Associations Incorporation Act 1964.
“Board” means the Board of Directors of the Association.
“General meeting” means a general meeting of members convened in accordance with rule 13.
“Board member” means a member of the Board of Directors to whom rule 23(1)(b) relates.
“Appointed Board member” means a member of the Board to whom rule 23(1)(c) relates.
- (2) In these rules, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, and photocopying and other modes of representing or reproducing words in a visible form.
- (3) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which these rules are adopted by the Association.
- (4) In these rules, general practitioner (GP) means a medical practitioner who provides initial, continuing, comprehensive and coordinated medical care for individuals, families and communities.

Association’s Office

3. The office of the Association shall be at 235 Murray Street Hobart, Tasmania or such other place as the Board may, from time to time, determine.

Objects and Purposes of the Association

4. (1) The objects of the Association shall be:
 - (a) Facilitating improved liaison between general practice and other areas of the health care system.
 - (b) Working to improve the effective integration of general practice with other elements of the health care system.
 - (c) Enabling general practitioners to contribute to health planning at the local, state and national level.
 - (d) Providing better access to available and appropriate general practitioner services for patients and reducing inappropriate duplication of services.
 - (e) Meeting the special (and localised) health needs of groups (such as Aboriginal and Torres Strait Islanders and those with non-English speaking backgrounds) and people with chronic conditions particularly where those needs are not adequately addressed by the health system.
 - (f) Facilitating the advancement of general practice.
 - (g) Enhancing educational and professional development opportunities for general practitioners, practice staff and undergraduates.
 - (h) Facilitation of increased general practitioner focus on illness prevention and health promotion activities.
 - (i) Improving the efficiency and effectiveness of health services, particularly at the local level.

Objects and Purposes of the Association *continued*

4. (2) In addition to the basic objects of the Association, as stated in sub-rule (1) of this rule, the objects and purposes of the Association shall be deemed to include:
- (a) The purchase, taking on lease or in exchange, and the hiring or otherwise acquiring of any real or personal property that may be deemed necessary or convenient for any of the objects or purposes of the Association.
 - (b) The buying, selling and supplying of, and dealing in, goods of all kinds.
 - (c) The construction, maintenance, and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association.
 - (d) The accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association.
 - (e) The taking of such steps from time to time as the Board or the members in general meeting may deem expedient for the purpose of procuring contributions to the funds of the Association, whether by way of donations, subscriptions or otherwise.
 - (f) The printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Board or the members in general meeting may think desirable for the promotion of the objects and purposes of the Association.
 - (g) The borrowing and raising of money in such manner and on such terms as the Board may think fit or as may be approved or directed by resolution passed at a general meeting.
 - (h) Subject to the provisions of the Trustee Act 1898, the investment of any moneys of the Association not immediately required for any of its object or purposes in such manner as the Board may from time to time determine.
 - (i) The making of gifts, subscriptions, or donations to any of the funds, authorities, or institutions to which paragraph (a) of sub-section (1) of section 78 of the Income Tax Assessment Act of the Commonwealth relates.
 - (j) The establishment and support, or aiding in the establishment and support, of associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances, or to servants or past servants of the Association and their dependants, and the making of payments towards insurance in relation to any of those purposes.
 - (k) The establishment and support, or aiding in the establishment or support, of any other association formed for any of the basic objects of the Association.
 - (l) The purchase or acquisition, and undertaking, of all or any part of the property, assets, liabilities, and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and rules of the Association, and
 - (m) The doing of all such other lawful things as are incidental or conducive to the attainment of the basic objects of the Association or of any of the objects and purposes specified in the foregoing provision of this sub-rule.

Membership of the Association

5. (1) A person who applies and is approved for membership as provided in these rules is eligible to be a member of the Association on payment of the annual subscription prescribed in, or fixed under, these rules.
- (a) Categories of Membership
- (i) Practising GP Member
 - (ii) Retired / Non-practising GP Member
 - (iii) Associate Member (community, staff and other interested parties)

Categories (i) and (ii) only have voting rights. Division staff members are automatically eligible to become Associate Members by indicating their wish to do so, and are not required to pay the prescribed annual subscription.

Category (i) and (ii) GP Members must at all times whilst a member, be and remain registered with the Medical Council of Tasmania except in cases approved by the Board. In the event of registration lapsing, being suspended or being refused, the GP Member concerned shall automatically cease to be a member of the Association and shall not be eligible to reapply for membership until registration has been renewed or reinstated.

Membership of the Association *continued*

- (2) A person who is not a member of the Association at the time of the incorporation of the Association shall not be admitted to membership -
 - (a) unless he/she applies in writing on the provided "Application for Membership Form" and lodged with the Public Officer of the Association, this shall be accompanied by the prescribed annual subscription, and
 - (b) upon receipt of the application, the Public Officer shall refer the application to the next Board meeting for approval.
- (3) Upon the application being approved by the Board, the Public Officer shall, with as little delay as possible, notify the applicant in writing that he/she has been approved for membership of the Association. The Public Officer shall enter the applicant's name in a register of members whereupon the applicant becomes a member of the Association.
- (4) A member of the Association may, at any time, resign from the Association by delivering or sending by post to the Public Officer a written notice of resignation.
- (5) Upon receipt of a notice under sub-rule (6) of this rule, the Public Officer shall remove the name of the member by whom the notice was given from the register of members, whereupon that member ceases to be a member of the Association.
- (6) A right, privilege, or obligation of a person by virtue of his/her membership of the Association -
 - (a) is not capable of being transferred or transmitted to another person, and
 - (b) terminates upon the cessation of his/her membership, whether by death, resignation, or otherwise.
- (7) In the event of the Association being wound up -
 - (a) every member of the Association, and
 - (b) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a member of the Association is liable to contribute to the assets of the Association for payment of the debts or liabilities of the Association and for the costs, charges, and expenses of the winding up and for adjustment of the rights of the contributories among themselves such sum, not exceeding \$20 as may be required, but any former member is not liable to contribute in respect of any debt or liability of the Association contracted after he/she ceased to be a member.

Income and Property of Association

6. (1) The income and property of the Association is to be applied solely towards the promotion of the objects and purposes of the Association.
- (2) No portion of the income and property of the Association is to be paid or transferred to any member of the Association.
- (3) The Association is not to –
 - (a) appoint a person who is a member of the Board to any office in the gift of the Association to the holder of which there is payable any remuneration by way of salary, fees or allowances; or
 - (b) pay to any such person any remuneration or other benefit in money or money's worth, other than the repayment of out-of-pocket expenses.
- (4) A servant or member of the Association may be paid –
 - (a) remuneration in return for services rendered to the Association or for goods supplied to the Association in the ordinary course of business; or
 - (b) interest at a rate not exceeding 7¼% on money lent to the Association; or
 - (c) a reasonable and proper sum by way of rent for premises let to the Association.

Accounts of Receipts and Expenditure

7. (1) True and fair accounts shall be kept -
 - (a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place, and
 - (b) of the property, assets, and liabilities of the Association, and subject to any reasonable restrictions as to time and manner of inspecting them that may be imposed by the Association for the time being, those accounts shall be open to the inspection of the member of the Association.
- (2) The Board shall faithfully keep all general records, accounting books, and records and receipts of expenditure connected with the operations and business of the Association in such form and manner as the Board may direct.
- (3) The accounts, books, and records referred to in sub-rules (1) and (2) of this rule shall be kept at the Association's office or at such other place as the Board may decide.

Banking and Finance

8. (1) The Board shall, on behalf of the Association, receive all moneys paid to the Association and forthwith after the receipt thereof issue official receipts for any payments in cash.
- (2) The Board shall cause to be opened with such bank as the Board selects a banking account in the name of the Association into which all moneys received shall be paid by the Board as soon as possible after receipt.
- (3) The Board may receive from the Association's bank or bankers for the time being the electronic funds transfer and cheques drawn by the Association on any of its accounts with the bank or bankers and may release and indemnify the bank or bankers from and against all claims, actions, suits, or demands that may be brought against the bank or bankers arising directly or indirectly out of those cheques or the surrender thereof to the Association.
- (4) Except with the authority of the Board, no payment of a sum exceeding an amount approved at the Annual General Meeting, shall be made from the funds of the Association otherwise than by cheque drawn on the Association's bank account, but the Board may provide the Treasurer or Board member(s) appointed by the Board with a sum to meet minor expenditure, subject to the observance of such conditions in relation to the use and expenditure thereof as the Board may impose.
- (5) No electronic funds transfer and cheques shall be drawn on the Association's bank account except for the payment of expenditure that has been authorised by the Board.
- (6) All electronic funds transfer and cheques, drafts, bills of exchange, promissory notes, and other negotiable instruments shall be signed by any two nominated Board members (including the Medical Director) or any one of the aforementioned office holders and any one previously nominated staff member.

Auditor

9. (1) At each Annual General Meeting of the Association, the members present shall appoint a person as the auditor of the Association.
- (2) A person so appointed shall hold office until the annual general meeting next after that at which he/she is appointed, and is eligible for re-appointment.
- (3) If an appointment is not made at an annual general meeting the Board shall appoint an auditor of the Association for the then current financial year of the Association.
- (4) The auditor may only be removed from office by special resolution.
- (5) If a casual vacancy occurs in the office of auditor during the course of a financial year of the Association, the Board may appoint a person as the auditor and the person so appointed shall hold office until the next succeeding annual general meeting.

Audit of Accounts

10. (1) Once at least in each financial year of the Association the accounts of the Association shall be examined by the auditor.
- (2) The auditor shall report as to the truth and fairness of the accounts of the Association to the members at the annual general meeting.
- (3) In his/her report, the auditor shall state:
 - (a) whether he/she has obtained the information required by him/her,
 - (b) whether in his/her opinion the accounts are properly drawn up so as to exhibit a true and fair view of the financial position of the Association according to the information at his/her disposal and the explanations given to him/her and as shown by the books of Association, and
 - (c) whether the rules relating to the administration of the funds of the Association have been observed.
- (4) The Public Officer of the Association shall cause to be delivered to the auditor a list of all the accounts, books, and records of the Association.
- (5) The auditor -
 - (a) has a right of access to the accounts, books, records, vouchers, and documents of the Association.
 - (b) may require from the servants of the Association such information and explanations as may be necessary for the performance of his/her duties as auditor.
 - (c) may employ persons to assist him/her in investigating the accounts of the Association.
 - (d) may, in relation to the accounts of the Association, examine any member of the Board or any servant of the Association.

Annual General Meeting

11. (1) The Association shall, in each year, hold an annual general meeting.
- (2) The annual general meeting shall be held on such day (being not later than four months after the close of the financial year of the Association) as the Board may determine.
- (3) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.
- (4) The annual general meeting shall be specified as such in the notice convening it.
- (5) The ordinary business of the annual general meeting shall be -
 - (a) to confirm the minutes of the last preceding annual general meeting and of any general meeting held since that meeting
 - (b) to receive from the Board, auditor and servants of the Association reports upon the transactions of the Association during the last preceding financial year.
 - (c) to elect the Board members of the Association (excluding the Appointed Board members).
 - (d) to appoint the auditor.
- (6) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (7) All general meetings other than the annual general meeting shall be called special general meetings.

Special General Meeting

12. (1) The Board may, whenever it thinks fit, convene a special general meeting of the Association.
- (2) The Board shall, on the requisition in writing of not less than ten members, convene a special general meeting of the Association.
- (3) A requisition for a special general meeting shall state the objects of the meeting and shall be signed by the requisitionists and deposited at the office of the Association and may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (4) If the Board does not cause a special general meeting to be held within twenty-one days from the date of which a requisition therefor is deposited at the office of the Association, the requisitionist, or any of them may convene the same meeting; but any meeting so convened shall not be held after three months from the date of the deposit of the requisition.
- (5) A special general meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner by the Board, and all reasonable expenses incurred in convening the meeting shall be refunded by the Association to the persons incurring them.

Notices of General Meetings

13. The Public Officer of the Association, at least fourteen days before the date fixed for holding a general meeting of the Association, shall cause to be inserted in at least one newspaper published in Tasmania an advertisement specifying the place, day and time for the holding of the meeting, and the nature of the business to be transacted thereat.

Business and Quorum at General Meetings

14. (1) All business that is transacted at special general meetings and all business that is transacted at the annual general meeting, with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting, shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (3) Fifteen (15) financial members personally present (being members entitled under these rules to vote thereat) constitute a quorum for the transaction of the business of a general meeting.
- (4) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; and in any other case, it shall stand adjourned to the same day in the next week, at the same time and (unless another place is specified by the Chairman at the time of the adjournment or by written notice to members given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

Chairman to Preside at General Meetings

15. (1) The Chairman, or in his/her absence, the Deputy Chairman, shall preside as Chairman at every general meeting of the Association.
- (2) If the Chairman and Deputy Chairman are absent from a general meeting, the members present shall elect one of their number to preside as Chairman thereat.

Adjournment of General Meetings

16. (1) The Chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting and left unfinished or not dealt with at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for fourteen days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.
- (3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

Determination of Questions at General Meetings

17. A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, as declaration by the Chairman that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

Votes

18. (1) Upon any question arising at a general meeting of the Association, a member has one vote only.
- (2) All votes shall be given personally or by postal vote in accordance with these rules.
- (3) In the case of an equality of voting on a question the chairman of the meeting is entitled to exercise a second or casting vote.
- (4) The conduct of a poll or ballot on any resolution or election to be decided at a general meeting shall include any postal votes cast in accordance with these rules provided the voting paper is in a form prescribed by the Association, signed by the financial member concerned and lodged with the Public Officer no later than 5:00 pm on the day preceding the date of the general meeting at which the poll or ballot is to be taken.
- (5) Any financial member of the Association may apply to the Public Officer for the issue of postal voting papers in respect of any resolution or election to be decided at any general meeting of the Association and notification of this right shall be contained in every notice of a general meeting. The closing date for requests for postal voting papers shall be 5:00 pm on the third last day preceding the date of the relevant meeting.

Taking of Poll

19. If at a meeting a poll on any question is demanded it shall be taken at that meeting in such manner as the Chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

When Poll to be Taken

20. A poll that is demanded on the election of a Chairman, or on a question of adjournment, shall be taken forthwith, and a poll that is demanded on any other question, shall be taken at such time before the close of the meeting as the Chairman may direct.

General Meeting May Appoint Sub-Committee

- 20A. A general meeting may appoint a Sub-Committee for the purpose of reporting back to the meeting. Unless otherwise determined by the general meeting a quorum for a meeting of such a Sub-Committee shall be one more than half the number of members appointed to it (or in the event of a Sub-Committee of uneven numbers the next highest number in excess of half its number) and its procedure shall be the same as that laid down for Sub-Committees pursuant to Rule 28.

Affairs of Association to be Managed by a Board

21. (1) The affairs of the Association shall be managed by a Board constituted as provided in rule 23.
- (2) The Board -
- (a) shall control and manage the business and affairs of the Association.
- (b) may, subject to these rules, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by these rules to be exercised by general meetings of members of the Association.
- (c) subject to the Act and these rules, has power to perform all such acts and things as appear to the Board to be essential for the proper management or the business and affairs of the Association.
- (d) shall at its first meeting after the annual general meeting elect from the Board members (excluding the Independent Directors) the Officers of the Association.

Officers of the Association

22. (1) The Officers of the Association shall be -
- (a) a Chairman,
 - (b) a Deputy Chairman, and
 - (c) a Treasurer or Board member appointed as Audit and Risk Committee Chairman
- (2) The provisions of sub-rules (2), (3) and (4) of rule 24, so far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in the foregoing sub-rule (1) of this rule.
- (3) The Chairman and Treasurer respectively shall hold office for two years after election and may stand for re-election to that office for a further two (2) years to a maximum of two consecutive terms, after which they shall not stand for re-election to that office for a further two (2) years.
- (4) The Deputy Chairman shall hold office for one year after election and may stand for re-election to that office for a further one (1) year, after which time they shall not stand for re-election for a further two (2) years.
- (5) In the event of a casual vacancy in any office mentioned in sub-rule (1) of this rule, the Board may appoint one of its members to the vacant office, and the member so appointed may continue in office up to and including the conclusion of the annual general meeting next following the date of his/her appointment.

Constitution of the Board

23. (1) The Board shall consist of -
- (a) the Officers of the Association,
 - (b) Four (4) other members, all of whom shall be elected at an annual general meeting of the Association, and
 - (c) Up to three (3) Independent Directors, appointed by the Board in accordance with sub-rule (4) of this rule.
- (2) At the AGM in 2004, the people holding Board positions numbered 1, 2 and 3 are to retire, and those positions are to be filled for 2 year terms each (to 2006). At the AGM in 2005, the people holding Board positions numbers 4, 5 and 6 are to retire, and those positions are to be filled for 3-year terms each (to 2008). In the AGM in 2005, the people holding Board positions 7 and 8 are to retire, and those positions are to be filled for 2-year terms each (to 2007). Thereafter each Board position is to be filled as the term expires, for 3 year terms each.
- (3) In the event of a casual vacancy occurring in the office of a Board member, the Board may appoint a member of the Association to fill the vacancy, and the member so appointed shall hold office, subject to these rules until the conclusion of the annual general meeting next following the date of his/her appointment. An election shall be held at the AGM and the Director elected shall hold office until the end of the term of the Director whose retirement caused the casual vacancy.
- (4) The Board shall at the time of the annual general meeting seek nominations from community organisations, or from interested individuals whom the Board may consider would make a valuable contribution to the Association. The Board shall then appoint up to three (3) Independent Directors to the Board, each for a period of up to three (3) years. In the event of the resignation of an Independent Director, the Board may appoint a replacement member according to the same procedure. The Board reserves the right to terminate the appointment of an Independent Director at any time.

Election of Members

24. (1) Nominations of candidates for election as a Board member -
- (a) shall be made in writing signed by two members of the Association and accompanied by their written consent of the candidate (which may be endorsed on the form of nomination), and
 - (b) shall be delivered to the Public Officer of the Association at least fourteen days before the date fixed for the holding of the annual general meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected and further nominations shall be received at the annual general meeting.
- (3) If the number of nomination exceeds the number of vacancies to be filled, a ballot shall be held.

- (4) The ballot for the election of Board members shall be conducted at the annual general meeting in such usual and proper manner as the Board may direct.

Vacation of office

25. For the purpose of these rules, the office of a Board member becomes vacant if the Board member -
- (a) dies.
 - (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his/her creditors or makes any assignment of his/her estate for their benefit.
 - (c) becomes of unsound mind.
 - (d) resigns his/her office by writing under his/her hand addressed to the Board.
 - (e) ceases to be resident in Tasmania.
 - (f) fails, without leave granted by the Board, to attend three consecutive meetings of the Board.
 - (g) ceases to be a member of the Association.
 - (h) fails to pay all arrears of subscription due by him/her within fourteen days after he/she has received a notice in writing signed by the Public Officer stating that he/she has ceased to be a financial member of the Association.

Meetings of the Board and of Sub-Committees

26. (1) The Board shall –
- (a) meet immediately following the annual general meeting, at which the business will be the election of the Chairman of the Association
 - (b) meet a minimum of eight (8) times per year at such place and at such times as the Board may determine.
- (2) Special meetings of the Board may be convened by the Chairman, or any four of its members.
- (3) Notice shall be given to members of the Board of any special meeting, specifying the general nature of the business to be transacted, and no other business shall be transacted at such a meeting.
- (4) Any five (5) members of the Board constitute a quorum for the transaction of the business of a meeting of the Board.
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same place and at the same hour of the day in the following week unless the meeting was a special meeting, in which case it lapses.
- (6) At meetings of the Board -
- (1) the Chairman, or in his/her absence, the Deputy Chairman, shall preside as Chairman, or
 - (2) if the Chairman and Deputy Chairman are absent from a general meeting, the members present shall elect one of their number to preside as Chairman thereat.
- (7) Questions arising at meetings of the Board or of any Sub-Committee appointed by the Board shall be determined on a show of hands or, if demanded by a member, by a poll taken in such manner as the person presiding at the meeting may determine.
- (8) Each member present at a meeting of the Board or any sub-committee appointed by the Board (including the person presiding at the meeting) is entitled to one vote and, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (9) Written notice of each Board meeting shall be served on each member of the Board by delivering it to him/her at a reasonable time before the meeting or by sending it by post in a prepaid letter addressed to him/her at his/her usual or last known place of abode in time to reach him/her in due course of post before the date of the meeting.

Disclosure of Interest, Contracts

27. (1) A member of the Board who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his/her interest at the first meeting of the Board at which the contract or arrangement is first taken into consideration, if his/her interest then exists, or, in any other case, at the first meeting of the Board after the acquisition of his/her interest.
- (2) If a member of the Board becomes interested in a contract or arrangement after it is made or entered into he/she shall disclose his/her interest at the first meeting of the Board after he/she becomes so interested.
- (3) No member of the Board shall vote as a member of the Board in respect of any contract or arrangement in which he/she is interested and if he/she does so vote his/her vote shall not be counted.

Sub-Committees

28. (1) The Board may at any time appoint a Sub-Committee from the Board as it may think fit and shall prescribe the powers and functions thereof.
- (2) The Board may co-opt as members of a Sub-Committee such persons as it thinks fit, whether or not those persons are members of the Association, but a non-member so co-opted is not entitled to any vote.
- (3) Three appointed members of a Sub-Committee constitute a quorum at a meeting of the Sub-Committee.
- (4) The Public Officer of the Association is responsible for calling meetings of a Sub-Committee.
- (5) Written notice of each Sub-Committee meeting shall be served on each member of the Sub-Committee by delivering it to him/her at a reasonable time before the meeting or by sending it by post in a pre-paid letter addressed to him/her at his/her usual or last known place of abode in time to reach him/her in due course of post before the next meeting of the Sub-Committee.

Annual Subscription

29. (1) Until otherwise fixed pursuant to sub-rule (2) of this rule, the annual subscription payable by members shall be set at the Annual General Meeting.
- (2) The amount of the annual subscription may be altered from time to time by the members by special resolution.
- (3) The annual subscription of a member is due and payable on or before the first day of the financial year of the Association

Financial Year

30. The financial year of the Association is the period beginning on 1st July in each year and ending on the 30th June next following.

Notices

31. A notice may be served by or on behalf of the Association upon any member either personally or by sending it through the post in a prepaid letter addressed to the member at his/her usual or last-known place of abode.

Expulsion of Members

32. (1) Subject to this rule, the Board may expel a member from the Association if, in the opinion of the Board the member has been guilty of conduct detrimental to the interests of the Association.
- (2) The expulsion of a member pursuant to sub-rule (1) of this rule does not take effect -
 - (a) until the expiration of fourteen days after the service on the member of a notice under sub-rule (3) of this rule, or
 - (b) if the member exercises his/her right of appeal under this rule until the conclusion of the special general meeting convened to hear the appeal, whichever is the later date.

- (3) Where the Board expels a member from the Association, the Public Officer of the Association shall, without undue delay cause to be served on the member a notice in writing -
- (4)
 - (a) stating that the Board has expelled the member,
 - (b) specifying the grounds for the expulsion, and
 - (c) informing the member that if he/she so desires he/she may, within fourteen days after the service of the notice on him/her, appeal against the expulsion as provided in this rule.
- (5) A member on whom a notice under the foregoing sub-rule (3) of this rule is served may appeal against the expulsion to a special general meeting by delivering or sending by post to the Public Officer of the Association, within fourteen days after the service of that notice, a requisition in writing demanding the convening of such a meeting for the purpose of hearing his/her appeal.
- (6) Upon receipt of a requisition under sub-rule (4) of this rule, the Public Officer shall forthwith notify the Board of its receipt and the Board shall thereupon cause a special general meeting of members to be held within twenty-one days after the date on which the requisition is received by the Public Officer.
- (7) At a special general meeting convened for the purpose of this rule:
 - (a) no business other than the question of the expulsion shall be transacted.
 - (b) the Board may place before the meeting details of the grounds of the expulsion and the Board's reasons for the expulsion.
 - (c) the expelled member shall be given an opportunity to be heard.
 - (d) the members present shall vote by secret ballot on the question whether the expulsion should be lifted or confirmed.
- (8) If at the special general meeting a majority of the members present votes in favour of the lifting of the expulsion, the expulsion shall be deemed to have been lifted and the expelled member is entitled to continue his/her membership of the Association.
- (9) If at the special general meeting a majority of the members present vote in favour of the confirmation of the expulsion, the expulsion takes effect, and the expelled member ceases to be a member of the Association.

Disputes

33. (1) Subject to this rule, a dispute between a member of the Association, in his/her capacity as a member, and the Association shall be determined by arbitration in accordance with the provisions of the Commercial Arbitration Act 1986.
- (2) Nothing in this rule affects the operation or effect of rule 32.

Seal of the Association

34. (1) The seal of the Association shall be in the form of a rubber stamp inscribed with the name of the Association encircling the word "seal"
- (2) The seal of the Association shall not be affixed to any instrument except by the authority of the Board, and the affixing there of shall be attested by the signatures either of two members of the Board or of one member of the Board and of the Public Officer of the Association or such other person as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Board.
- (3) The seal shall remain in the custody of the Public Officer.

Alteration to Rules

35. The rules of the Association may be altered by special resolution. The alterations shall be considered at a general meeting of the Association the notice sent to members shall set out all the changes and the reasons for the changes. The newspaper advertisement need not set out all changes proposed or the reason for the changes.

Distribution of Surplus on Dissolution

36. If upon the winding up or dissolution of the Association there remains, after the Assets satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall subject to Section 33 of the Associations Incorporation Act 1964 be given or transferred to some other institution or institutions having objects similar to the objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association, such institution or institutions to be determined by the Board of the Association at or before the item of dissolution and in default thereof by a Judge of the Supreme Court of Tasmania and if and so far as effect cannot be given to the aforesaid provision, then to some charitable object.

- (1) if the Gift Fund is wound up or if the endorsement (if any) of the organisation as deductible gift recipient is revoked, any surplus assets of the Gift Fund remaining after the payment of liabilities attributable to it shall be transferred to a fund, authority or institution to which income tax deductible, gifts can be made.

The term Gift Fund is defined as:

A fund:

- to which gifts of money or property for that purpose are to be made;
- to which any money received by the organisation because of those gifts is to be credited; and,
- that does not receive any other money or property